

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 868

Introduced by Redfield, 12; Aguilar, 35; Erdman, 47; Foley, 29;
Friend, 10; Hudkins, 21; Quandahl, 31; Smith, 48;
Stuhr, 24

Read first time January 7, 2004

Committee: Education

A BILL

1 FOR AN ACT relating to education; to amend sections 79-201 and
2 79-202, Reissue Revised Statutes of Nebraska; to change
3 provisions relating to truancy; to harmonize provisions;
4 and to repeal the original sections.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-201, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 79-201. (1) Except as provided in section 79-202 and
4 subsection (2) of this section, every person residing in a school
5 district within the State of Nebraska who has legal or actual
6 charge or control of any child who ~~is not less than~~ has reached the
7 age of seven years of age and not more than sixteen years of age
8 and is under the age of eighteen years or who is younger than seven
9 years of age and is enrolled in any public school shall cause such
10 child to attend regularly the public, private, denominational, or
11 parochial day schools which meet the requirements for legal
12 operation prescribed in Chapter 79 each day that such schools are
13 open and in session, except when excused by school authorities,
14 unless such child has ~~graduated from high school~~ obtained a high
15 school diploma by meeting the graduation requirements established
16 in section 79-729 or a diploma of high school equivalency pursuant
17 to section 79-730. Any person with legal or actual charge or
18 control of a child younger than seven years of age who is enrolled
19 in a public school may discontinue the enrollment of such child
20 pursuant to the policy of the school board. All school boards
21 shall adopt policies allowing discontinuation of the enrollment of
22 students younger than seven years of age and specifying the
23 procedures therefor. The school term shall be as provided in
24 section 79-211.

25 (2) A child who is sixteen years of age or seventeen
26 years of age who is not enrolled in a public, private,
27 denominational, or parochial day school described in subsection (1)
28 of this section shall be deemed to be in compliance with such

1 subsection if (a) he or she is regularly enrolled in a program
2 recognized by the State Board of Education as an approved
3 alternative educational program or (b) such child and his or her
4 parent or guardian have attended a final conference conducted by
5 the school in which the child was last enrolled and have signed a
6 statement presented by the school during such session. The
7 statement shall include information regarding the academic skills
8 the child has achieved, the difference in future earning power
9 between a person with a high school diploma or diploma of high
10 school equivalency and a person without either of such diplomas,
11 and a list of alternative educational programs available to the
12 child.

13 Sec. 2. Section 79-202, Reissue Revised Statutes of
14 Nebraska, is amended to read:

15 79-202. Section 79-201 does not apply when the services
16 or earnings of a child are necessary for his or her own support or
17 the support of those actually dependent upon him or her, if the
18 child is fourteen years of age or more and not more than sixteen
19 years of age and has completed the work of the eighth grade, if the
20 child meets the requirements of subsection (2) of section 79-201,
21 or when illness or severe weather conditions make attendance
22 impossible or impracticable.

23 Sec. 3. Original sections 79-201 and 79-202, Reissue
24 Revised Statutes of Nebraska, are repealed.